

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Simone Calvas v 19<sup>th</sup> District Court**  
Docket No. **305899**  
L.C. No. **09-004942-CD**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED IN PART for lack of jurisdiction. The claim of appeal from the June 20, 2011, judgment and prior orders is DISMISSED for lack of jurisdiction because the claim of appeal was not timely filed with respect to this final judgment. MCR 7.204(A). The claim of appeal is not timely with respect the June 20, 2011, judgment because defendant-appellant's motion for postjudgment relief was not filed within 21 days of the entry of the final judgment and the postjudgment motion for attorney fees and costs did not extend the time for filing a claim of appeal. MCR 7.204(A)(1)(b); *Baitinger v Brisson*, 230 Mich App 112; 583 NW2d 481 (1998). At this time, appellant may seek to appeal the June 20, 2011, judgment only by filing an application for leave to appeal under MCR 7.205(F).

The appeal may proceed with respect to the August 17, 2011, order awarding attorney fees and costs.

A true copy entered and certified by Larry S. Royster, Chief Clerk, on



SEP 21 2011

Date

  
Chief Clerk